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IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his )  
capacity as ATTORNEY GENERAL )  
OF THE STATE OF OKLAHOMA and )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT C. MILES TOLBERT,) )  
in his capacity as the )  
TRUSTEE FOR NATURAL RESOURCES) )  
FOR THE STATE OF OKLAHOMA, )  
 )  
Plaintiff, )  
 )  
vs. ) 4:05-CV-00329-TCK-SAJ  
 )  
TYSON FOODS, INC., et al, )  
 )  
Defendants. )

- - - - -

THE VIDEOTAPED DEPOSITION OF  
BERTON FISHER, PhD, produced as a witness on  
behalf of the Defendants in the above styled and  
numbered cause, taken on the 23rd day of January,  
2008, in the City of Tulsa, County of Tulsa, State  
of Oklahoma, before me, Lisa A. Steinmeyer, a  
Certified Shorthand Reporter, duly certified under  
and by virtue of the laws of the State of Oklahoma.

**A P P E A R A N C E S**

FOR THE PLAINTIFFS: Mr. David Page  
Mr. Richard Garren  
Attorneys at Law  
502 West 6th Street  
Tulsa, OK 74119  
-and-  
Mr. Louis Bullock  
Attorney at Law  
110 West 7th Street  
Suite 707  
Tulsa, OK 74119

FOR TYSON FOODS: Mr. Robert George  
Attorney at Law  
The Three Sisters Bldg.  
214 West Dickson Street  
Fayetteville, AR 72701

FOR CARGILL: Mr. John Tucker  
Attorney at Law  
100 West 5th Street  
Suite 400  
Tulsa, OK 74103

FOR SIMMONS FOODS: Mr. John Elrod  
Attorney at Law  
211 East Dickson Street  
Fayetteville, AR 72701  
-and-  
Ms. Vicki Bronson (via  
phone)

FOR PETERSON FARMS: Mr. Scott McDaniel  
Mr. Craig Mirkes  
Attorneys at Law  
320 South Boston  
Suite 700  
Tulsa, OK 74103

**TULSA FREELANCE REPORTERS**  
**918-587-2878**

1 FOR GEORGE'S:

Mr. Paul Thompson  
Attorney at Law  
221 North College  
Fayetteville, AR 72701

4 FOR CAL-MAINE:

Mr. Robert Sanders  
Attorney at Law  
2000 AmSouth Plaza  
P. O. Box 23059  
Jackson, MS 39225

7 FOR WILLOW BROOK:

Ms. Jennifer Griffin  
Attorney at Law  
314 East High Street  
Jefferson City, MO 65109  
(Via phone)

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**TULSA FREELANCE REPORTERS**  
**918-587-2878**

1 are produced by soils, how many tons of hay per acre  
2 are produced in the Illinois River watershed now?

3 A That would be beyond my expertise and within  
4 that of other experts in this matter.

5 Q Do you have any concept as to the value of the 05:54PM  
6 hay that's produced in the watershed at the present  
7 time?

8 A I do not. That would be other experts in this  
9 case.

10 Q Who would that be? 05:54PM

11 A I believe Dr. Gordon Johnson might be able to  
12 testify to that.

13 Q When poultry litter from a grower is sold, who  
14 sets the price of that?

15 A One would hope the market. I don't know who 05:54PM  
16 sets the price for poultry litter.

17 Q Who gets the money?

18 A Who gets the money? I -- the owner of the  
19 litter. The person who gets the money is the owner  
20 of the litter. 05:54PM

21 Q Do you know who gets the money now in the  
22 watershed?

23 A I do not.

24 Q On Page 7 of your affidavit you state that the  
25 geology and terrain of the Illinois River watershed 05:55PM